

From: "Oakley, Dennis" <Dennis.Oakley@PacifiCorp.com>
To: Jim Smith <jimdsmith@utah.gov>
CC: Daron Haddock <daronhaddock@utah.gov>, "Fleck, Ken" <Kenneth.Fleck@Pacif...>
Date: 2/22/2011 2:13 PM
Subject: RE: Deer Creek 9th East Portal Phase III Bond Release - Affidavit of Publication
Attachments: Scan-Letters to Interested Partys.doc

Jim,

Attached are a scanned copy of the Letters to Interested Parties for your file. These letters were mailed out on January 21, 2011. I sent you the affidavit of publication for the public notice last Friday on February 18th. Also, your comment concerning the C1/C2 forms...a C1 form was included with the original application. I did not submit a C2 since there was no changes to the MRP to be made.

Hopefully, we can keep moving forward with this bond release. Snow should be cleared off the site early since it faces to the south. I'll let you know when the site is dry enough for inspection. You need to make one more hike before you retire!!!

Best Wishes

Dennis Oakley
Senior Environmental Engineer I CPESC

15 North Main Street | P.O. Box 310 | Huntington, Utah 84528

Phone: 435.687.4825 | Mobile: 435.636.5053 | Fax: 435.687.2695
dennis.oakley@pacificorp.com

-----Original Message-----

From: Jim Smith [mailto:jimdsmith@utah.gov]
Sent: Tuesday, February 22, 2011 7:16 AM
To: Oakley, Dennis
Cc: Daron Haddock
Subject: Re: Deer Creek 9th East Portal Phase III Bond Release - Affidavit of Publication

Thanks Dennis.

Please also submit copies of the actual letters sent to the "adjoining property owners, local government bodies, planning agencies, sewage and water treatment authorities, and water companies ... notifying them of the intention to seek release from the bond" (R645-301-880.120).

Because the affidavit and letters become part of the application, the Division also needs you to provide C1/C2 forms.

JIM

>>> "Oakley, Dennis" <Dennis.Oakley@PacifiCorp.com> 2/18/2011 2:00 PM >>>
Jim,

For your files.

Best Regards

Dennis Oakley

Senior Environmental Engineer I CPESC

[cid:705515720@18022011-2946]

15 North Main Street | P.O. Box 310 | Huntington, Utah 84528

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dennis.oakley@pacificorp.com<mailto:dennis.oakley@pacificorp.com>

The greatest mistake you can make in life is to be continually fearing you will make one.

- Elbert Hubbard-

[cid:705515720@18022011-294D]



P.O. Box 310
15 North Main Street
Huntington, Utah 84528

January 21, 2011

Mark Stilson, Regional Engineer
State of Utah
Division of Water Rights
Southeastern Area
319 Carbonville Rd, Suite B
Price, Utah 84501

Subject: **Application for Phase II and III Bond Release, Deer Creek Mine, 9th East Portal Breakout Area**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, has filed with the Division of Oil, Gas and Mining an application for Phase II and III Bond Release for 0.6 acres of the Deer Creek Mine, 9th East Portal Breakout Area.

As required by the State of Utah, R645-Coal Mining Rules (R645-301-880), all adjoining property owners, local governmental bodies, etc, are notified, informing them of the operator's intention to seek release from bond. You are receiving this notice because of your association with one of the groups mentioned above. A public notice was published in the Emery County Progress commencing on January 25, 2011 and will run for four (4) consecutive weeks.

The Deer Creek Mine, 9th East Portal Breakout Area is located in the Right Fork of Grimes Wash. The said area, located in SE1/4 of the SW1/4 of the SE1/4 of Section 22, Township 17 South, Range 7 East, SLB&M. The (2) portals in this area were developed in the 1920's. Both portals were wagon operations. In June 1977, three (3) more portals, called the 9th East Breakout Portals, were developed for ventilation purposes. All portals and access were considered pre-SMRCA sites. The 1977 intake portals were equipped with concrete collars. The breakouts at 9th East were utilized for intake ventilation purposes from 1977 until 1990, when they were permanently sealed according the Mine Safety Health Administration (MSHA) regulations.

Final reclamation of the 9th East breakouts began in the fall of 1999 and was completed in December of the same year. The concrete collars were removed and all the portals, including the (2) historic portals that were developed in 1920, have been backfilled. The site was fertilized, mulched and seeded contemporaneously with backfilling and grading. Phase I Bond Release for this area was approved on July 31, 2007.

The period of extended responsibility requirement (10 years) has been met and the vegetation parameters identified in R645-301-356.200 has exceed the approved success standard during the

Application for Phase II and III Bond Release
Deer Creek Mine
9th East Portal Area
January, 21, 2011

growing seasons of the last two years of this responsibility period. Vegetation sampling for bond release was conducted during the fall of 2008 and 2009.

PacifiCorp currently maintains a \$4,113,000.00 surety bond payable to the Division of Oil, Gas, and Mining. No reduction of this bond is being requested for the release of the site. If you have any questions, or require further information pertaining this bond release application, please feel free to call me at (435) 687-4825 or Ken Fleck at 435-687-4712.

Sincerely,



Dennis Oakley
Sr. Environmental Engineer

Cc Emery County Board of Commissioners
Pamela Brown, Forest Supervisor, USFS, Region 4, Manti-LaSal National Forest
Jerry Kenczka, Field Office Manager, Bureau of Land Management
Dr. Phil Notorianni, Jr., Director, State Historic Preservation Office
Eric Larson, Regional Supervisor, State of Utah, Division of Wildlife Resources
Mark Stilson, Regional Engineer, Division of Water Rights
File



P.O. Box 310
15 North Main Street
Huntington, Utah 84528

January 21, 2011

Dr. Phil Notorianni, Jr., Director
State Historic Preservation Office
300 Rio Grande
Salt Lake City, Utah 84101

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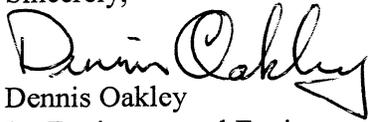
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Dennis Oakley
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Jerry Kenczka, Field Office Manager, Bureau of Land Management
Dr. Phil Notorianni, Jr., Director, State Historic Preservation Office
Eric Larson, Regional Supervisor, State of Utah, Division of Wildlife Resources
Mark Stilson, Regional Engineer, Division of Water Rights
File



P.O. Box 310
15 North Main Street
Huntington, Utah 84528

January 21, 2011

Pamela Brown, Forest Supervisor
United States Forest Service
Region 4, Manti-LaSal National Forest
599 West Price River Road
Price, Utah 84501

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Mark Stilson, Regional Engineer, Division of Water Rights
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P.O. Box 310
15 North Main Street
Huntington, Utah 84528

January 21, 2011

Jerry Kenczka, Field Office Manager
Bureau of Land Management
Price Field Office
125 South 600 West
Price, Utah 84501

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P.O. Box 310
15 North Main Street
Huntington, Utah 84528

January 21, 2011

Emery County Board of Commissioners
P.O. Box 629
Castle Dale, Utah 84513

Subject: Application for Phase II and III Bond Release, Deer Creek Mine, 9th East Portal Breakout Area

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File



P.O. Box 310
15 North Main Street
Huntington, Utah 84528

January 21, 2011

Eric Larson, Regional Supervisor
State of Utah
Division of Wildlife Resources
SOUTHEASTERN REGION
319 North Carbonville Rd., Suite A
Price, Utah 84501

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